

DATE: October 12, 2010

TO: Mayor and City Council

FROM: City Manager

SUBJECT: Creation of the Council Appointed Officers Committee

RECOMMENDATION

That Council adopts the attached resolution forming a new Council standing committee – the Council Appointed Officers Committee (CAOC); and outlining the membership and general responsibilities of the new committee.

BACKGROUND

The Mayor and City Council directly appoint three corporate officers – City Manager, City Attorney, and City Clerk. These officers are employees of the Council and report directly to the Council. The Council has expressed a desire to establish a formal mechanism for dealing with the formal oversight and accountability of the three appointed officers.

DISCUSSION

Based on previous discussion with Council and on the items contained in a memorandum from Council Member Halliday to Mayor Sweeney, staff is suggesting the following composition and mission for the new CAOC for Council's consideration and discussion:

1. Membership
 - a. As is standard for Council standing committees, the CAOC will be composed of three Council members. In this case, the three members will be the Mayor and two other Council Members as appointed by the Mayor.
 - b. The Mayor will be a permanent member of the CAOC.
 - c. The two Council appointments will be rotating as follows:
 - i. Initial appointments will be one for one year and one for two years.
 - ii. The one-year appointment will rotate in January 2012; the two-year appointment a year later. January is suggested in order to conclude the annual officer evaluations each year before the committee membership changes, but the Committee can determine schedule once they are formed.
 - iii. Subsequent appointments will serve for two years each, rotated on alternating years.

2. Responsibilities may include.
 - a. Developing policies and procedures related to oversight and accountability of the appointed officers, which policies and procedures will then be recommended to the entire Council for discussion and action.
 - b. Scheduling and coordinating annual evaluations of appointed officers.
 - c. Preparing for recruitment of new appointed officers when needed. This may include recommending documents and schedules for Council review, discussion, and adoption such as an RFP for selection of a recruiting firm, coordinating recruitment processes, etc.
 - d. Assuring good hiring practices concerning such things as employment terms, standard contract documents, etc.
 - e. Generally exercising other actions related to the appointed officer positions as may arise from time to time and be referred to the Committee by the Council as a whole.
3. Staffing. It is proposed that start-up staffing for this Committee come from the City Manager's Office with the support of the Human Resources Director. Staff support may shift from time to time among the three appointed officers or other City staff depending on what issues are before the Committee and the circumstances.

The appointment dates, terms, and general responsibilities of the CAOC identified above are provided merely for Council's consideration and discussion at this meeting. Council action will establish the Committee and its responsibilities.

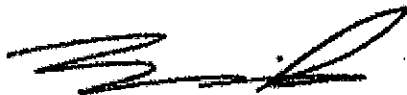
It is not the intent of this Committee to relieve the Mayor and Council of their responsibilities related to the oversight and accountability of the appointed officers or to erode their authority thereto. Rather, it is to assist Council in formalizing and standardizing policies and procedures; to make recommendations to the Council as a whole on matters involving their responsibilities toward the appointed officers; and to provide Council with an established mechanism to deal with any unusual or unpredicted events that might arise involving any one of the appointed officers, without Council having to rush to form an ad hoc committee in the moment of need.

FISCAL IMPACT

There is no direct fiscal impact from the formation of this committee. However, the formation and support of the Committee will require staff time and supporting resources.

Prepared by: Fran David, City Manager

Approved by:



Fran David, City Manager

Attachment: Resolution

HAYWARD CITY COUNCIL

RESOLUTION NO. 10-

Introduced by Council Member

RESOLUTION TO FORM AND APPROVE A NEW COUNCIL
STANDING COMMITTEE: COUNCIL APPOINTED
OFFICERS COMMITTEE (CAOC)

WHEREAS, the City Council is responsible for the recruitment, hiring, oversight, evaluation, accountability, and termination of three directly appointed corporate officers: the City Manager, the City Attorney, and the City Clerk; and

WHEREAS, Council does not currently have a formal, defined structure for exercising these responsibilities over its appointed corporate officers; and

WHEREAS, Council desires to fulfill these responsibilities in a proactive, professional, and consistent manner, according to best practices in the industry; and

WHEREAS, Council utilizes the standing committee structure to facilitate its business and provide input and recommendations to the Council as a whole.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby approves the formation of a new standing committee called the Council Appointed Officers Committee (CAOC), with the assigned responsibilities as defined in the Council report attached hereto as Exhibit A and incorporated herein by reference.

IN COUNCIL, HAYWARD, CALIFORNIA, _____, 2010

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward